

## CHAPTER 113 ARRANGEMENT OF CITY STREETS

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**113-1. Uniform Numbering System. 1. BASE LINES.** There is established a uniform numbering system of numbering all houses and buildings fronting on all streets, avenues and highways in the city of Milwaukee. In establishing said system, N. First Street, the Milwaukee River and S. First Street and S. Chase Avenue shall constitute the north and south base line and the Milwaukee River to the Menomonee Canal and the section line in W. Canal Street from the South Menomonee Canal to the west city limits shall constitute the east and west base line.

**2. HOUSE NUMBERING.** Numbers on all houses and buildings running east and west or north and south from said base lines shall be extended each way, upon the basis of one number for each 15 feet of property frontage, wherever possible, starting at the base line with the number 100 and continuing with

consecutive hundreds at each intersection, wherever possible. All even numbers shall be placed upon houses and buildings on the north and east side of said streets, avenues and highways and all odd numbers upon houses and buildings on the south and west side of said streets, avenues and highways.

**3. DEFINITION OF STREET.** For the purpose of interpretation, application and enforcement of this section and s. 113-2, the term street shall include any private street or way open to public use.

**4. STREET NAMES.** Before house numbers can be assigned to houses or buildings fronting on private rights-of-way, a street name must be established by the common council. This name shall conform to the existing street names in the area, wherever possible. The owners of the street must supply the city with a legal description of the private street to be named and must place street name signs in a conspicuous place adjacent to the roadway to properly identify the approved street name.

**5. PRIVATE ROAD SIGNS.** The owner must place street name signs in a conspicuous place adjacent to the roadway to properly identify the approved street name. This sign shall be on brown background with white reflective letters or internally illuminated. It shall be double-faced, a 9 inch blank, with 4 inch letters and shall include the phrase "private road" in 2 inch letters in parenthesis.

**113-2. Assigning of House Numbers. 1. BY CITY ENGINEER.** The city engineer shall make the necessary survey and assign to each house and building located on any street, avenue, alley or highway in said city, its respective number under the uniform system provided for in s. 113-1. When the city engineer shall have completed the said survey and assigned to each house and building so located its respective number or numbers, the owner, occupant or agent shall place or cause to be placed upon each house or building controlled by him the number or numbers assigned by the said city engineer under the uniform system provided for in s. 113-1. Such number or numbers shall be placed within 15 days after the said city engineer has assigned the proper numbers. The cost of the number or numbers

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shall be paid for out of the city funds set aside for this purpose. The cost of replacement of any number or numbers, after its initial installation, and the cost of any number or numbers on any new house, building or structure erected after the entire work of establishing a uniform system of house numbers has been completed shall be borne entirely by the new owner or occupant of any house or building, said numbers in all instances to comply with the standard set forth in s. 113-1.

**2. MAINTAINING OLD NUMBERS.** It shall be the duty of the owner, occupant or agent of any house or building, to which a new number is assigned as provided in this chapter, to maintain the old number now upon said house or building, together with the new number for a period of 6 months after the said city engineer has assigned the new number or numbers to the premises, after at which time the old number or numbers shall be removed, and thereafter it shall be unlawful to maintain any number other than the new number, as designated by the city engineer.

**3. SUFFIXES.** Where only one number is available for any house or building, the owner, occupant or agent of such house or building who shall desire distinctive numbers for the upper and lower portion of any such house or building, or for any such house or building, fronting on any street, such owner, occupant or agent shall use the suffix A, B, C, etc. as may be required.

**4. IMPROPER NUMBERS.** It shall be unlawful for any person to alter any number or retain any improper number, other than the one given by virtue of s. 113-1 and this section.

**5. SIZE AND LOCATION OF NUMBERS.** All numbers placed on houses and buildings in accordance with s. 113-1 and this section shall not be less than 3 inches, including background, in height and shall be distinctly legible and shall be posted in a conspicuous place on the front of each house or building, and at the rear or side of properties that abut or are adjacent to alleys, so as to be easily seen and read from such public ways. In no event shall the number proper, where a background is used, be less than 2 inches in height.

**6. INFORMATION.** It shall be the duty of the city engineer to inform any party applying therefor, the number or numbers belonging or embraced within the limits of said lot or property, as provided in s. 113-1.

**7. NEW BUILDINGS.** No building permit shall be issued for any house, building or structure until the city engineer has assigned an official number for the premises. Whenever any new house, building or structure shall be erected in the city after the entire work of establishing a uniform system of house numbering has been completed, in order to preserve the continuity and uniformity of numbers of the houses, buildings and structures, it shall be the duty of the owner or his agent, to procure the correct number or numbers, as designated by the city engineer, for the said property and the said owner or agent shall immediately fasten the said number or numbers so assigned upon said house, building or structure in a conspicuous place at the entrance of said house, building or structure; and display the designated number at the rear of side of properties that abut or are adjacent to alleys.

**8. DUTY OF POLICEMEN.** It shall be the duty of all policemen of the city to report violations of any provisions of s. 113-1 and this section, inclusive.

**9. VIOLATIONS.** Any owner, occupant or agent of any house or building failing or refusing to comply with any of the provisions of s. 113-1 and this section, inclusive, shall, upon conviction thereof be punished by a fine of not less than \$1 nor more than \$5 and costs of prosecution for each such neglect and refusal, and in default of payment of such fine and costs, by imprisonment in the house of correction of Milwaukee county for not exceeding 10 days.

**113-3. Naming of Public Buildings, Facilities and Streets.** **1. POLICY.** To preserve the city's heritage and protect the public safety and convenience, existing names of public buildings, facilities and streets may be changed only in exceptional cases and only when compelling reasons for change are evident. In the naming of new public buildings and facilities, and in the exceptional cases of renamings of public buildings, facilities and streets, priority shall be given to names reflecting the city's cultural diversity and the contributions of groups underrepresented in the existing nomenclature.

2. EXEMPTION. The procedures and guidelines contained in this section shall not apply to the naming of new or replacement buildings or facilities when the names used are simply administrative identifiers or reflect the functions of the structures. In addition, these procedures and guidelines shall not apply to the naming of new streets.

3. CITIZEN ADVISORY COMMITTEE. There is created a citizen advisory committee on the naming of public buildings, facilities and streets which shall make recommendations to the common council regarding proposals to name or rename public buildings, facilities and streets. The committee shall consist of 7 members who are residents of the city of Milwaukee and who hold no other public office or public employment. Committee members shall be appointed by the mayor and confirmed by the Common Council to serve staggered 3-year terms. The mayor shall designate the chair. Members of the committee shall include at least one recognized local historian, one representative of a local business association or chamber of commerce and one employee of a local nonprofit community organization. Four members of the committee shall constitute a quorum.

4. PROCEDURE. Proposals to name new public buildings and facilities or to rename existing public buildings, facilities and streets shall be processed in the following manner:

a. A proposal to name or rename a public building, facility or street shall be submitted in writing to the city clerk, who shall refer the proposal to the citizen advisory committee, the appropriate standing committee of the common council and the relevant city department or agency. Each proposal shall include:

a-1. The specific building, facility or street being proposed for naming or renaming, including a sketch showing its location.

a-2. The full form of the name being proposed, as well as the form suggested for use in the naming or renaming.

a-3. The origin or meaning of the proposed name.

a-4. If the proposed name refers to an individual, a brief biography of that individual.

a-5. The rationale for naming or renaming the building, facility or street with the proposed name, including, if applicable, an explanation of how the name or individual is or has been associated with the building, facility or street or the area in which the building, facility or street is located.

a-6. Any letters from appropriate organizations and individuals which provide

evidence of substantial local support for the proposal.

a-7. In the case of a street renaming, a petition signed by more than 50 percent of the owners of property along the street, with a maximum of one signature per parcel. Signatures shall be obtained by the person or persons requesting the renaming. A street renaming proposal shall not be considered unless the number of signatures exceeds 50 percent of the number of parcels along the street.

b. Following submission of a naming or renaming proposal, the relevant city department or agency shall evaluate the proposed name in terms of the criteria contained in this section. In the case of a street renaming, the department or agency shall also determine the legitimacy and sufficiency of the signatures on the petition.

c. If the proposal was submitted in accordance with the requirements of par. a, the relevant city department or agency shall forward the findings of its review of the proposed naming or renaming to the common council committee. The department or agency's report shall include information on the number of signs or name plates that will be required, the number of residences and businesses that will be affected, the estimated public costs of the naming or renaming and an evaluation of the proposed name in terms of the criteria set forth in this section.

d. The common council committee shall conduct a public hearing on the naming or renaming proposal in accordance with the following guidelines:

d-1. The citizen advisory committee shall be present at the hearing and shall present its comments and recommendation.

d-2. In the case of a street renaming, owners of property abutting the street shall be notified of the hearing by mail.

d-3. The common council committee shall evaluate the proposal based on comments from the citizen advisory committee, the public and the individual or individuals submitting the proposal, as well as on the report of the relevant city department or agency and the criteria contained in this section.

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d-4. The committee shall forward its recommendation regarding the proposal to the common council for action on the matter.

e. Each approved naming or renaming shall take effect 90 days after common council action on the proposal.

**5. GENERAL CRITERIA.** In reviewing a proposed naming or renaming of a public building, facility or street, city staff, the citizen advisory committee and the common council committee shall consider the proposed name in light of the following criteria:

a. Distinctive names, including names of individuals, landmarks, topographic features and neighborhoods, shall be given preference over purely locational names.

b. A name proposed for a public building, facility or street shall not be considered if it duplicates or sounds similar to an existing name for the same type of public property.

c. A proposal to rename a public building or facility that has already been named after a person shall not be considered.

d. When a new public building, facility or street has been named, or when an existing public building, facility or street has been renamed, no name change proposals shall be considered for a period of 10 years following the effective date of the naming or renaming.

e. Names that could be considered derogatory to a particular person or organization, to any racial, religious or ethnic group or to disabled persons shall not be considered.

f. Names that could be considered obscene, blasphemous or not in good taste shall not be considered.

**6. NAMES OF INDIVIDUALS.** The following guidelines shall apply to the naming or renaming of public buildings, facilities or streets after individuals:

a. The name of an individual may be considered only if it is determined that it is in the public interest to honor the individual or the individual's family for historical or commemorative reasons.

b. The name of an individual shall not be given consideration unless the individual portrays a positive image and is or was associated with or made a significant

contribution to the public building or facility being named or renamed or to the area in which the building, facility or street is located.

c. Names of individuals who have made contributions in the arts, entertainment and business shall be considered along with names of individuals known for outstanding careers of public service.

d. Names of individuals who have made significant contributions to the Milwaukee community shall be preferred over names of national figures.

e. In the naming of parks, health centers, libraries, fire and police stations and other facilities with specific missions or functions, preference shall be given to names of individuals who have made significant contributions in occupations related to those facilities.

f. In and of themselves, contributions of land or money for public facilities shall not be considered ample justification for naming or renaming facilities after individuals.

g. The name of an individual may be considered only if the individual is deceased or has attained the age of 70 years.

h. An individual's epithet, nickname or title may be used if it would provide a more appropriate, interesting or enduring name.

i. Full names shall not be considered unless use of an individual's last name only would render the building, facility or street unidentifiable or create confusion with other such buildings, facilities or streets.

**7. STREET NAMES.** The following guidelines apply to the renaming of public streets:

a. In order to facilitate the location of addresses, particularly for the purposes of mail delivery and the provision of emergency services, a street shall bear the same name throughout its length, where appropriate.

b. Street names shall not exceed 13 characters in length, including spaces between words but not including cardinal direction letters and abbreviations for street types.

### **113-11. Permanent Bench Marks Established.**

All grades and elevations that shall or may be hereafter established in the city of Milwaukee and shall be described by reference to the

level of the Milwaukee river as it was in the month of March, A.D., 1836, assumed as a base or datum line from which all elevation and the height of all grades shall be measured in feet and decimal fractions of a foot, and for the purpose of fixing and establishing the level of said base or datum line, it is ordained and declared that the same is the number of feet and decimal fractions of a foot below the permanent bench mark which is hereby established as follows:

ELEVATION

N. Jackson Street and E. Wells Street,  
northwest corner....54.830

**113-12. Grade and Width of Sidewalk Area.**

When not otherwise especially provided, the grade or elevation of the sidewalk areas on the sides of the streets in said city shall be as follows, to-wit:

1. GRADE. The grade of the sidewalk areas at the curb line shall be the same as the established grade at the center of the street opposite, and the grade of the sidewalk areas at the lot line shall be, on sidewalk areas of less than 10 feet in width, 2/10 of a foot higher; on sidewalk areas varying from 10 to 14 feet in width, 3/10 of a foot higher; on sidewalk areas greater than 14 but less than 18 feet in width, 4/10 of a foot higher; and on sidewalk areas of 18 feet in width or more, 5/10 of a foot higher than the established grade at the center of the street opposite.

2. WIDTH. When the width of the sidewalk area is over 8 feet, the inner edge of the sidewalk pavement shall in all cases be laid not more than 2 feet from the lot line. When the width of the sidewalk area is 8 feet or less, the inner edge of the sidewalk pavement shall in all cases be laid not more than 6 inches from the lot line. If, in the opinion of the city engineer, it is impractical or inadvisable to conform to this section, the location of the sidewalk pavement shall be determined by the city engineer, subject to the approval of the commissioner of public works.

3. DEFINITION. In this section the "sidewalk area" shall be deemed that portion of the street between the roadside or face of the curbing and the lot line. The "sidewalk pavement" shall be deemed the pavement laid in the sidewalk area, and the "inner edge of the sidewalk pavement" shall denote the edge toward the lot line.

4. COMPLIANCE. a. All new sidewalk pavements hereafter to be constructed, or any old sidewalk pavements which have to be relaid on any of the streets in the city, where the grade of the sidewalk area is not established by special ordinance, shall be laid in accordance with this section.

b. The width of all sidewalk pavements, either new or reconstructed, shall be determined by the city engineer subject to the approval of the commissioner of public works, and all ordinances establishing the width of the sidewalk pavements are repealed.

**113-12.5. Sidewalks, When and Where Laid; Exceptions.** Concrete sidewalks shall be installed on both sides of any street whenever said street is improved by installing permanent pavement, curb and gutter; provided, however, that the common council may waive or defer this requirement.

**113-13. Procedure When Sidewalks Laid Contrary to Grade.** In case any owner or owners, or any agent of any owner or owners, shall hereafter lay or cause to be laid any new sidewalk or relay or cause to be relaid any old sidewalk on any of the streets in the city to a grade deviating from that of any special ordinance establishing the grade of such sidewalk, or contrary to the provisions of this section, the commissioner of public works shall give proper notice to such owner or owners, or agent of such owner or owners, to take up such sidewalk within 10 days and to lay the same according to the established grade. Should such owner or owners, or agent of such owner or owners, refuse or neglect to comply with the order of the commissioner of public works within the specified time, then the said commissioner of public works shall cause such sidewalk to be taken up and relaid to the established grade of the sidewalk and charge the expense of such work against the lot, part of lot or parcel of land in front of which the same has been performed, and cause the same to be collected as other special taxes.

**113-14. Grades of Alley Approaches.** The grade and slope of the sidewalk pavement at an alley approach may be depressed in the manner provided by ss. 115-24 to 115-26.

## 113-17 Arrangement of City Streets

### 113-17. Mitchell Center Project Pedestrian Malls.

1. CREATED. In accordance with s. 66.0905, Wis. Stats., pedestrian malls are established along West Mitchell Street between South 5th Street and South 14th Street on West Mitchell Street and along certain intersecting streets and alleys adjoining thereto, to be known as the "Mitchell Center Project". To enhance their purpose and function, mall areas shall be limited to pedestrian users, as well as emergency, public works maintenance and utility transportation vehicles.

2. AREA. The general area included in the "Mitchell Center Project" shall be West Mitchell Street from South 5th Street to South 14th Street and West Forest Home Avenue from West Mitchell Street to South 14th Street.

3. LOCATIONS. Certain streets and alleys specifically included in the "Mitchell Center Project" are designated as follows:

a. The north 120 feet more or less of the north-south leg of the alley in the block between West Maple Street, West Mitchell Street, South 8th Street and South 9th Street, more particularly described as follows: Commencing in the northeast corner of lot 6 in block 4 of Mitchell's subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east along the extension of the north line of lot 6 aforesaid, 19.5 feet to a point in the west line of the previously vacated east 0.5 feet of said alley; thence south along said west line, 120.28 feet to the north line of the east-west alley in said block 4; thence west, 19.5 feet to the southeast corner of said lot 6; thence north along the west line of lot 6 aforesaid, 120.28 feet to the place of commencement.

b. The south 120 feet more or less of the north-south leg of the alley in the block between West Lapham Boulevard, West Mitchell Street, South 8th Street and South 9th Street more particularly described as follows: Commencing in the northeast corner of lot 18 in block 143 of L. W. Weeks subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east, 20 feet to the northwest corner of lot 17 in said block 143; thence south along the west line of lot 17 aforesaid, 120 feet to the southwest corner of

said lot 17; thence west, 20 feet to the southeast corner of said lot 18; thence north, 120 feet to the place of commencement.

c. The south 120 feet more or less of the north-south leg of the alley in the block between West Lapham Boulevard, West Mitchell Street, South 9th Street and South 10th Street, more particularly described as follows: Commencing in the northeast corner of lot 18 in block 142 of L. W. Weeks subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east, 20 feet to the northwest corner of lot 17 in said block 142; thence south along the west line of lot 17 aforesaid, 120 feet to the southwest corner of said lot 17; thence west, 20 feet to the southeast corner of said lot 18; thence north along the east line of lot 18 aforesaid, 120 feet to the place of commencement.

d. The north 120 feet more or less of the north-south leg of the alley in the block between West Maple Street, West Mitchell Street, South 10th Street and South 11th Street, more particularly described as follows: Commencing in the northeast corner of lot 6 in block 6 of Mitchell's subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east, 20 feet to the northwest corner of lot 5 in said block 6; thence south along the west line of lot 5 aforesaid, 120.52 feet to the southwest corner of said lot 5; thence west, 20 feet to the southeast corner of said lot 6; thence north along the east line of lot 6 aforesaid, 120.52 feet to the place of commencement.

e. The south 120 feet more or less of the north-south leg of the alley in the block between West Lapham Boulevard, West Mitchell Street, South 11th Street and South 12th Street, more particularly described as follows: Commencing in the northeast corner of lot 18 in block 140 of L. W. Weeks subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east, 20 feet to the northwest corner of lot 17 in said block 140; thence south along the west line of lot 17 aforesaid, 120 feet to the southwest corner of said lot 17; thence west, 20 feet to the southeast corner of said lot 18; thence north along the east line of lot 18 aforesaid, 120 feet to the place of commencement.

f. The north 120 feet more or less of the north-south leg of the alley in the block between West Maple Street, West Mitchell Street, South 11th Street and South 12th Street, more particularly described as follows: Commencing in the northeast corner of lot 6 in block 7 of Mitchell's subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east, 20 feet to the northwest corner of lot 5 in said block 7; thence south along the west line of lot 5 aforesaid, 120.64 feet to the southwest corner of said lot 5; thence west, 20 feet to the southeast corner of said lot 6; thence north along the east line of lot 6 aforesaid, 120.64 feet to the place of commencement.

g. The south 120 feet more or less of the north-south leg of the alley in the block between West Lapham Boulevard, West Mitchell Street, South 12th Street and South 13th Street, more particularly described as follows: Commencing in the northeast corner of lot 17 in block 139 of L. W. Weeks subdivision in the northwest 1/4 of section 5, township 6 north, range 22 east; running thence east, 14.35 feet to the northwest corner of lot 16 in said block 139; thence south along the west line of lot 16 aforesaid, 120 feet to the southwest corner of said lot 16; thence west, 14.35 feet to the southeast corner of said lot 17; thence north along the east line of lot 17 aforesaid, 120 feet to the place of commencement.

**113-18. North Division Neighborhood Pedestrian Malls. 1. CREATED.** In accordance with s. 66.0905, Wis. Stats., the common council establishes pedestrian malls in areas previously used for vehicular thoroughfares between W. North Avenue, W. Burleigh Street, N. 8th Street, and N. 20th Street.

**2. AREA AND LOCATIONS.** The area and locations included as North Division neighborhood pedestrian malls are between W. North Avenue, W. Burleigh Street, N. 8th Street and N. 20th Street specifically described as follows:

a. Description of a portion of N. 13th Street, north of W. Center Street, to be used for mall purposes. Commencing at a point in the southeast corner of parcel 1 of certified survey map no. 4188 in the northeast 1/4 of

section 18, township 7 north, range 22 east, said point being 37.00 feet north of, as measured normal to, the south line of said 1/4 section; running thence east along a line which is parallel with and 37.00 feet north of the south line of said 1/4 section, 42.00 feet to a point in the west line of the northwest 1/4 of section 17, township 7 north, range 22 east; thence north 89° 42' 20" east along a line which is parallel with and 37.00 feet northerly of the south line of said northwest 1/4 section, 49.36 feet to a point in the easterly line of N. 13th Street as now laid out; thence north 17° 56' 43" west, along said easterly line of N. 13th Street, 113 feet to the original east line of said N. 13th Street; thence south 0° 17' 40" east along the southerly extension of said original east line of N. 13th Street, said extension being parallel with and 15.00 feet easterly of, as measured normal to, the west line of said northwest 1/4 section, 21.86 feet to a point of curve; thence southwesterly and westerly, 63.97 feet along the arc of said curve which has a radius of 48.00 feet with its center to the northwest and whose cord bears south 73° 32' 47" west, 59.34 feet to the west line of N. 13th Street as now laid out in said northeast 1/4 section; thence south 0° 17' 40" east along said west line of N. 13th Street also being the east line of parcel 1 aforesaid, 69.41 feet to the point of commencement.

b. Description of a portion of W. Hopkins Street, north of W. Hadley Street, to be used for mall purposes. Commencing at the point of intersection of the north line of W. Hadley Street and the present northeasterly line of W. Hopkins Street, said point also being in the south line of lot 14 in block 1 of Haertel's addition, in the northeast 1/4 of section 18, township 7 north, range 22 east, running thence northwesterly along said northeasterly line of N. Hopkins Street to the easterly line of N. Teutonia Avenue; thence southeasterly along the extension of the easterly line of N. Teutonia Avenue to a point in the extension of the north line of W. Hadley Street; thence east along the extension of the north line of W. Hadley Street, to the point of commencement.

**3. MAP ON FILE.** A map of the pedestrian mall areas described above is on file with the city clerk.

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4. PURPOSE. This section will limit the use of the designated pedestrian mall areas to pedestrian users and to emergency, public works maintenance and utility transportation vehicles.

### 113-19. North Broadway Pedestrian Mall.

1. In accordance with s. 66.0905, Wis. Stats., a pedestrian mall is established in an area previously used for vehicular thoroughfare in North Broadway between East Erie Street and East Menomonee Street. The designated area shall be limited to pedestrian users and to emergency, public works maintenance and utility transportation vehicles.

2. The area and location to be included in the pedestrian mall established under this section is specifically described as follows: Commencing at the intersection of the south line of East Menomonee Street and west line of North Broadway; thence southerly, along the west line of North Broadway to its point of intersection with the northeasterly line of East Erie Street; thence southeasterly, along the extension of the northeasterly line of East Erie Street to its point of intersection with the southwesterly extension of the present northwesterly line of North Young Street; thence northeasterly, along said extension of North Young Street, to its point of intersection with the east line of North Broadway; thence northerly, along said east line, to the point of intersection of said east line and the south line of East Menomonee Street; thence westerly, to the point of commencement. A map of the pedestrian mall area described in this subsection is on file with the city clerk.

**113-30. Official Map Established.** Under and pursuant to the provisions of s. 62.23(6), Wis. Stats., the city of Milwaukee hereby establishes the procedure for the creation, amendment and alteration of an official map.

**113-31. Procedures.** 1. DUTIES OF CITY ENGINEER. The official map shall be prepared by the city engineer as an atlas of quarter section maps drawn at a scale of 200 feet to the inch on materials from which reproductions can be made. The map shall include all of the existing streets, alleys, parkways, highways and expressways, whether under the jurisdiction of the city, the county or the state

of Wisconsin. Expressways and state highways shall be shown by exterior boundaries of such rights-of-way, but in all other streets, highways and parkways owned by the city of Milwaukee or Milwaukee county, platted measurements shall be used wherever available. Street names or designations shall be used if such names or designations have been established. In addition to the above duties, other duties of the city engineer which relate to changes in the official map are contained in s. 113-32-1.

2. DUTIES OF THE CITY PLAN COMMISSION. All maps when completed by the city engineer shall be forwarded to the city plan commission for further action. Pursuant to the applicable provisions of s. 62.23(6), Wis. Stats., the city plan commission shall recommend approval or disapproval of such maps and shall forward a report thereon to the common council for further processing and shall recommend to the common council the necessity for a public hearing thereon. The plan commission may have hearings if it so desires.

3. DUTIES OF THE COMMON COUNCIL. Upon the receipt of the maps from the city plan commission, the common council shall make an official file thereof related to a specific ordinance number which shall cover all official map proceedings to be known as the official map, and after introduction, such file shall be referred to a committee of the common council. Upon receiving the recommendation of the committee, the common council may adopt or refuse to adopt such maps as the official map of the city, or in the alternative, may refer the matter back to the committee and to the city plan commission for further proceedings before taking final action thereon. Such official map is deemed to be final and conclusive with respect to the location and width of streets, alleys, parkways, highways and expressways.

4. DUTIES OF THE CITY CLERK. Upon adoption of the official map by the common council, the city clerk shall cause to be recorded in the office of the register of deeds a certificate showing that the city has established such official map. The city clerk shall also forward certified copies of the official map and the resolution or ordinance adopting the same, to the commissioner of neighborhood services, the city plan commission and the city engineer.



**113-32. Procedure for Changes to Official Map.**

**1. DUTIES OF THE CITY ENGINEER.**

The official map may also be changed or added to so as to establish the exterior lines of planned new streets, alleys, parkways, highways and expressways, whether under the jurisdiction of the city, county or the state of Wisconsin, or to widen, narrow, extend or close existing streets, alleys, parkways and expressways. Whenever any change or addition is proposed for any portion of the official map heretofore adopted by the common council, it shall be the duty of the city engineer to set forth such proposed amendment as a change in the applicable quarter section page of such official map, delineating and identifying the change or addition or amendment proposed to be made as on the original page. He shall forward such quarter section page or pages to the common council. The common council shall refer the matter to the city plan commission for its report thereon, and, at the same time, the common council shall refer the matter to a committee of the common council.

**2. DUTIES OF THE CITY PLAN COMMISSION.** Pursuant to the provisions of s. 62.23(6), Wis. Stats., the city plan commission shall study such proposed change or addition and shall make a report thereon to the common council. Copy of such report shall be forwarded to the committee of the common council to which the matter was referred. The plan commission shall also make recommendation to the common council and to the committee as to the necessity for a public hearing where it is that type of matter for which a hearing is not necessarily required as stated in s. 113-34-3. If the city plan commission shall not make its report within 60 days of the date the matter was referred to it by the common council, it shall forfeit the right to further suspend action.

**3. DUTIES OF THE COMMON COUNCIL.** The committee of the common council to which the matter was referred, upon receiving a copy of the report from the city plan commission shall, if required by law, hold a public hearing thereon. Notice of the public hearing shall be published as a class 2 notice under the provisions of ch. 985, Wis. Stats. After such public hearing, if required, and upon receiving the recommendation of the committee and also the report of the city plan

commission, the common council may adopt or refuse to adopt such change or addition or may refer the matter back to the committee and the city plan commission for further proceedings before taking final action thereon. Such additions or changes, when adopted, shall become a part of the official map of the municipality and shall be deemed to be final and conclusive with respect to the location and width of the streets, alleys, parkways, highways and expressways shown thereon.

**4. DUTIES OF THE CITY CLERK.**

Upon adoption of any change or addition to the official map by the common council, the city clerk shall cause to be recorded in the office of the register of deeds a certificate showing that the city has made such addition or change to such official map. The city clerk shall also forward certified copies of such changes or additions to the official map, and the resolution or ordinance adopting the same, to the commissioner of building inspection, the city plan commission and the city engineer.

**113-33. Preserving Integrity of Official Map.**

**1. DUTIES OF THE COMMISSIONER OF NEIGHBORHOOD SERVICES.** The commissioner of neighborhood services shall be the official custodian of the official map and he shall be charged with the duty of preserving the integrity of such official map, subject to and in accordance with the provisions of s. 62.23(6)(d), Wis. Stats. All applications for building permits within the bed of any streets, alleys, parkways, highways and expressways shall be denied within 30 days from the date of such application. The commissioner of neighborhood services shall receive all appeals to the zoning board of appeals, and it shall be his duty to bring such appeals to the attention of the zoning board of appeals at the next regular meeting of such board.

**2. DUTIES OF THE ZONING BOARD OF APPEALS.** The zoning board of appeals, upon any such appeal, shall fix a time and place for the hearing of said appeal in the same manner as that established for other appeals within said board's jurisdiction; said hearing to be held not more than 40 days after such application is filed. The board may in its discretion or upon motion of the appellant or city attorney adjourn such matter. If the land within such mapped street, alley, parkway,

### **113-34 Arrangement of City Streets**

highway or expressway is not yielding a fair return, the zoning board of appeals shall have power in a specific case, by the vote of a majority of its members, to grant a permit for a building in such street, alley, parkway, highway or expressway, which will as little as practicable increase the cost of opening such street, alley, parkway, highway or expressway, or tend to cause a change of such official map; and such board may impose reasonable requirements as a condition of granting such permit, which requirements shall be designated to promote the health, convenience, safety or general welfare of the community. Such board shall refuse a permit where the applicant will not be substantially damaged by placing his building outside the mapped street, alley, parkway, highway or expressway. Before taking any action authorized in this subsection, the board of appeals shall hold a hearing at which parties in interest and others shall have an opportunity to be heard. At least 15 days before the hearing, notice of the time and place of the hearing shall be published as a class 1 notice, under ch. 985, Wis. Stats. Any such decision shall be subject to review by certiorari by a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of a board of appeals upon zoning regulations.

#### **113-34. Other Provisions of Official Map.**

**1. ALL NEW STRUCTURES TO BE SHOWN ON MAP.** No public sewer or other municipal street utility or improvement shall be constructed in any street, highway or parkway until such street, highway or parkway is duly placed on the official map. No permit for the erection of any building shall be issued unless a street, highway or parkway giving access to such proposed structure has been duly placed on the official map. Where the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and where the circumstances of the case do not require the structure to be related to existing or proposed streets, highways or parkways, the applicant for such a permit may appeal from the decision of the commissioner of neighborhood services to the board of zoning appeals, and the same provisions are applied to such appeals and to such board as are provided in cases of appeals on zoning regulations. The board may in passing on such appeal make any reasonable exception, and issue the permit subject to conditions that will protect any future street, highway or parkway layout. Any such decision shall be subject to review by certiorari issued by a court of record in the same manner and pursuant

to the same provisions as in appeals from the decision of such board upon zoning regulations.

**2. PLANS NOT OFFICIAL.** The placing of any street, alley, parkway or highway or expressway on the official map shall not in and of itself constitute or be deemed to constitute the opening or establishment of any street, alley, parkway, highway or expressway, or the taking or acceptance of any land for such purposes.

**3. STREET CHANGES TO BE SHOWN.** The locating, widening or closing, or the approval of the locating, widening or closing of streets, alleys, parkways, highways or expressways under provisions of law other than this section shall be deemed to be a change or addition to the official map and shall be subject to the provisions of ss. 113-30 to 113-34, except that changes or additions made by a subdivision plat approved by the city under ch. 236, Wis. Stats., shall not require the public hearing specified in this subsection if the changes or additions do not affect any land outside the platted area.

**4. CITY OF MILWAUKEE ONLY.** The city shall not include in the official map any highways, parkways or expressways maintained and operated by the county of Milwaukee without the approval of the county board of supervisors.

**5. LAND RESERVED FOR STREET PURPOSES.** Lands which have been reserved for street purposes, or which have been set aside by any grantor in any deed or other grant, shall not be separately shown on such map and shall not be identified as such, and the inclusion of any such lands within the bed of any street, alley, parkway, highway or expressway shown on such official map shall not be deemed to be an acceptance thereof by the city.

## Arrangement of City Streets 113-(HISTORY)

### LEGISLATIVE HISTORY CHAPTER 113

Abbreviations:

am = amended  
cr = created

ra = renumbered and amended  
rc = repealed and recreated

rn = renumbered  
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 113	rn from ch. 3	881465	11/18/88	12/9/88
113-3	cr	930842	10/19/93	11/5/93
113-12-1	rc	040009	5/25/2004	6/12/2004
113-17	rc	910203	10/15/91	12/13/91
113-17-1	am	001458	2/27/2001	3/16/2001
113-17-3-a	rp	921875	4/8/93	4/28/93
113-17-3-b	rp	921875	4/8/93	4/28/93
113-17-3-c	rp	920637	10/13/92	10/30/92
113-17-3-c	rn to 113-17-3-a	921875	4/8/93	4/28/93
113-17-3-d	rp	920637	10/13/92	10/30/92
113-17-3-d	rn to 113-17-3-b	921875	4/8/93	4/28/93
113-17-3-e	rp	920637	10/13/92	10/30/92
113-17-3-e	rn to 113-17-3-c	921875	4/8/93	4/28/93
113-17-3-f	rn to 113-17-3-c	920637	10/13/92	10/30/92
113-17-3-f	rn to 113-17-3-d	921875	4/8/93	4/28/93
113-17-3-g	rn to 113-17-3-d	920637	10/13/92	10/30/92
113-17-3-g	rn to 113-17-3-e	921875	4/8/93	4/28/93
113-17-3-h	rn to 113-17-3-e	920637	10/13/92	10/30/92
113-17-3-h	rn to 113-17-3-f	921875	4/8/93	4/28/93
113-17-3-i	rn to 113-17-3-f	920637	10/13/92	10/30/92
113-17-3-i	rn to 113-17-3-g	921875	4/8/93	4/28/93
113-17-3-j	rn to 113-17-3-g	920637	10/13/92	10/30/92
113-17-3-k	rn to 113-17-3-h	920637	10/13/92	10/30/92
113-17-3-L	rn to 113-17-3-i	920637	10/13/92	10/30/92
113-18-1	am	001458	2/27/2001	3/16/2001
113-19	cr	891266	1/16/90	2/3/90
113-19-1	am	001458	2/27/2001	3/16/2001
113-31-4	am	951346	1/23/96	2/9/96
113-31-4	am	980963	12/18/98	1/1/99
113-33-1	am	951346	1/23/96	2/9/96
113-33-1	am	980963	12/18/98	1/1/99
113-34-1	am	980963	12/18/98	1/1/99

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[Pages 712 to 734 are blank]